

EXECUTIVE SUMMARY - ENFORCEMENT MATTER

Page 1 of 2

DOCKET NO.: 2006-0708-DCL-E TCEQ ID: RN104087390, RN104087473, RN104087416, and

RN102150364 CASE NO.: 29777

RESPONDENT NAME: CHEZ-SALIN QUALITY CLEANERS, INC. DBA RODEO CLEANERS 1, DBA RODEO CLEANERS 2, DBA RODEO CLEANERS 3, AND DBA LYRIC SOUTH CLEANERS

ORDER TYPE:		
<input checked="" type="checkbox"/> 1660 AGREED ORDER	<input type="checkbox"/> FINDINGS AGREED ORDER	<input type="checkbox"/> FINDINGS ORDER FOLLOWING SOAH HEARING
<input type="checkbox"/> FINDINGS DEFAULT ORDER	<input type="checkbox"/> SHUTDOWN ORDER	<input type="checkbox"/> IMMINENT AND SUBSTANTIAL ENDANGERMENT ORDER
<input type="checkbox"/> AMENDED ORDER	<input type="checkbox"/> EMERGENCY ORDER	
CASE TYPE:		
<input type="checkbox"/> AIR	<input type="checkbox"/> MULTI-MEDIA (check all that apply)	<input type="checkbox"/> INDUSTRIAL HAZARDOUS WASTE
<input type="checkbox"/> PUBLIC WATER SUPPLY	<input type="checkbox"/> PETROLEUM STORAGE TANKS	<input type="checkbox"/> OCCUPATIONAL CERTIFICATION
<input type="checkbox"/> WATER QUALITY	<input type="checkbox"/> SEWAGE SLUDGE	<input type="checkbox"/> UNDERGROUND INJECTION CONTROL
<input type="checkbox"/> MUNICIPAL SOLID WASTE	<input type="checkbox"/> RADIOACTIVE WASTE	<input checked="" type="checkbox"/> DRY CLEANER REGISTRATION

SITE WHERE VIOLATION(S) OCCURRED: 5414 W. Military Drive, 633 S. WW White Road, 4707 Pecan Valley Drive, and 2606 Pleasanton Road, San Antonio, Bexar County

TYPE OF OPERATION: Dry cleaning facility and three drop stations

SMALL BUSINESS: ☒ Yes ☐ No

OTHER SIGNIFICANT MATTERS: There are no complaints. There is no record of additional pending enforcement actions regarding this facility location.

INTERESTED PARTIES: No one other than the ED and the Respondent has expressed an interest in this matter.

COMMENTS RECEIVED: The *Texas Register* comment period expired on January 26, 2009. No comments were received.

CONTACTS AND MAILING LIST:

TCEQ Attorney: Ms. Rebecca M. Combs, Litigation Division, MC 175, (512) 239-6939
Ms. Lena Roberts, Litigation Division, MC 175, (512) 239-0019

TCEQ Enforcement Coordinator: Mr. Rajesh Acharya, Waste Enforcement Section, MC 128, (512) 239-0577

TCEQ Regional Contact: Mr. Henry Karnei, San Antonio Regional Office, MC R-13, (210) 403-4010

Respondent: Mr. Pierre Sanchez, Owner, Chez-Salin Quality Cleaners, Inc., 5414 W. Military Drive, San Antonio, Texas 78242

Respondent's Attorney: Not represented by counsel on this enforcement matter.

VIOLATION SUMMARY CHART:

VIOLATION INFORMATION	PENALTY CONSIDERATIONS	CORRECTIVE ACTIONS TAKEN/REQUIRED
<p>Type of Investigation:</p> <p><input type="checkbox"/> Complaint <input checked="" type="checkbox"/> Routine <input type="checkbox"/> Enforcement Follow-up <input type="checkbox"/> Records Review</p> <p>Date of Complaint Relating to this Case: N/A</p> <p>Dates of Investigations Relating to this Case: May 18, 2006 and June 7, 2006</p> <p>Dates of NOEs Relating to this Case: May 26, 2006, July 28, 2006 and August 24, 2006</p> <p>Background Facts: The EDPRP was filed on April 2, 2007. A signed Agreed Order was received on February 6, 2008.</p> <p>Current Compliance Status: Respondent is not yet in compliance. However, Rodeo Cleaners 1 was sold and registered by the new owner.</p> <p>DCL: Failed to complete and submit the required registration forms to TCEQ for a dry cleaning facility and three drop stations [30 TEX. ADMIN. CODE § 337.11(e) and TEX. HEALTH & SAFETY CODE § 374.102(a)].</p>	<p>Total Assessed: \$4,740</p> <p>Total Deferred: \$0 <input type="checkbox"/> Expedited Order <input type="checkbox"/> Financial Inability to Pay <input type="checkbox"/> SEP Conditional Offset</p> <p>Total Paid to General Revenue: \$4,740</p> <p>The Respondent has paid the \$4,740 administrative penalty in full.</p> <p>Site Compliance History Classification: N/A</p> <p>Person Compliance History Classification: <input type="checkbox"/> High <input checked="" type="checkbox"/> Average <input type="checkbox"/> Poor</p> <p>Major Source: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>Applicable Penalty Policy: September 2002</p>	<p>Ordering Provision(s):</p> <p>The Respondent shall undertake the following technical requirements:</p> <ol style="list-style-type: none"> 1. Within 30 days, properly register the sites. 2. Within 45 days, submit written certification to demonstrate compliance with the Ordering Provision above.



Policy Revision 2 (September 2002)

Penalty Calculation Worksheet (PCW)

PCW Revision May 19, 2005

DATES	Assigned	05-Jun-2006	Screening	14-Jun-2006	EPA Due	
	PCW	30-Aug-2006				

RESPONDENT/FACILITY INFORMATION	
Respondent	Chez-Salin Quality Cleaners, Inc. dba Lyric South Cleaners
Reg. Ent. Ref. No.	RN102150364
Facility/Site Region	13-San Antonio
Major/Minor Source	Minor Source

CASE INFORMATION			
Enf./Case ID No.	29777	No. of Violations	1
Docket No.	2006-0708-DCL-E	Order Type	1660
Media Program(s)	Drycleaner	Enf. Coordinator	Shontay Wilcher
Multi-Media		EC's Team	Enforcement Team 7
Admin. Penalty \$ Limit Minimum	\$0	Maximum	\$50

Penalty Calculation Section

TOTAL BASE PENALTY (Sum of violation base penalties) Subtotal 1 **\$1,185**

ADJUSTMENTS (+/-) TO SUBTOTAL 1

Subtotals 2-7 are obtained by multiplying the Total Base Penalty (Subtotal 1) by the indicated percentage.

Compliance History 0% Enhancement Subtotals 2, 3, & 7 **\$0**

Notes No adjustment for compliance history.

Culpability No ☐ 0% Enhancement Subtotal 4 **\$0**

Notes The respondent does not meet the culpability criteria.

Good Faith Effort to Comply 0% Reduction Subtotal 5 **\$0**

	Before NOV	NOV to EDPRP/Settlement Offer
Extraordinary		
Ordinary		
N/A	X	(mark with a small x)

Notes The respondent does not meet the good faith criteria.

Economic Benefit 0% Enhancement* Subtotal 6 **\$0**

Total EB Amounts	\$18
Approx. Cost of Compliance	\$250

*Capped at the Total EB \$ Amount

SUM OF SUBTOTALS 1-7 Final Subtotal **\$1,185**

OTHER FACTORS AS JUSTICE MAY REQUIRE Adjustment **\$0**

Reduces or enhances the Final Subtotal by the indicated percentage. (Enter number only; e.g. -30 for -30%.)

Notes

Final Penalty Amount **\$1,185**

STATUTORY LIMIT ADJUSTMENT Final Assessed Penalty **\$1,185**

DEFERRAL 0% Reduction Adjustment **\$0**

Reduces the Final Assessed Penalty by the indicated percentage. (Enter number only; e.g. 20 for 20% reduction.)

Notes

This is not an expedited case.

PAYABLE PENALTY **\$1,185**

EXHIBIT

tabbles

PCW-1

Screening Date 14-Jun-2006	Docket No. 2006-0708-DCL-E	PCW
Respondent Chez-Salin Quality Cleaners, Inc. dba Lyric South Cleaners	<i>Policy Revision 2 (September 2002)</i>	
Case ID No. 29777	<i>PCW Revision May 19, 2005</i>	
Reg. Ent. Reference No. RN102150364		
Media [Statute] Drycleaner		
Enf. Coordinator Shontay Wilcher		

Compliance History Worksheet

>> Compliance History Site Enhancement (Subtotal 2)

Component	Number of...	Enter Number Here	Adjust.
NOVs	Written NOVs with same or similar violations as those in the current enforcement action (<i>number of NOVs meeting criteria</i>)	0	0%
	Other written NOVs	0	0%
Orders	Any agreed final enforcement orders containing a denial of liability (<i>number of orders meeting criteria</i>)	0	0%
	Any adjudicated final enforcement orders, agreed final enforcement orders without a denial of liability, or default orders of this state or the federal government, or any final prohibitory emergency orders issued by the commission	0	0%
Judgments and Consent Decrees	Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government (<i>number of judgments or consent decrees meeting criteria</i>)	0	0%
	Any adjudicated final court judgments and default judgments, or non-adjudicated final court judgments or consent decrees without a denial of liability, of this state or the federal government	0	0%
Convictions	Any criminal convictions of this state or the federal government (<i>number of counts</i>)	0	0%
Emissions	Chronic excessive emissions events (<i>number of events</i>)	0	0%
Audits	Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (<i>number of audits for which notices were</i>	0	0%
	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (<i>number of audits for which violations were disclosed</i>)	0	0%
Other	<i>Please Enter Yes or No</i>		
	Environmental management systems in place for one year or more	No	0%
	Voluntary on-site compliance assessments conducted by the executive director under a special assistance program	No	0%
	Participation in a voluntary pollution reduction program	No	0%
	Early compliance with, or offer of a product that meets future state or federal government environmental requirements	No	0%

Adjustment Percentage (Subtotal 2) 0%

>> Repeat Violator (Subtotal 3)

N/A <

Adjustment Percentage (Subtotal 3) 0%

>> Compliance History Person Classification (Subtotal 7)

Average Performer <

Adjustment Percentage (Subtotal 7) 0%

>> Compliance History Summary

Compliance History Notes

No adjustment for compliance history.

Total Adjustment Percentage (Subtotals 2, 3, & 7) 0%

Screening Date 14-Jun-2006	Docket No. 2006-0708-DCL-E	PCW
Respondent Chez-Salin Quality Cleaners, Inc. dba Lyric South Cleaners	<i>Policy Revision 2 (September 2002)</i>	
Case ID No. 29777	<i>PCW Revision May 19, 2005</i>	
Reg. Ent. Reference No. RN102150364		
Media [Statute] Drycleaner		
Enf. Coordinator Shontay Wilcher		
Violation Number	<div style="border: 1px solid black; padding: 2px; text-align: center;">1</div>	
Primary Rule Cite(s)	<div style="border: 1px solid black; padding: 2px; text-align: center;">30 Tex. Admin. Code § 337.11(e)</div>	
Secondary Rule Cite(s)	<div style="border: 1px solid black; padding: 2px; text-align: center;">Tex. Health and Safety Code § 374.102</div>	
Violation Description	<div style="border: 1px solid black; padding: 2px;">The respondent failed to renew the facility's registration by completing and submitting the required registration form to the TCEQ for a dry cleaning and/or drop station facility.</div>	
Base Penalty		<div style="border: 1px solid black; padding: 2px; text-align: center;">\$50</div>
>> Environmental, Property and Human Health Matrix		
Harm		
Release	Major	Moderate
Actual	<div style="border: 1px solid black; width: 40px; height: 15px;"></div>	<div style="border: 1px solid black; width: 40px; height: 15px;"></div>
Potential	<div style="border: 1px solid black; width: 40px; height: 15px;"></div>	<div style="border: 1px solid black; width: 40px; height: 15px;"></div>
Percent		<div style="border: 1px solid black; width: 60px; height: 15px;"></div>
>> Programmatic Matrix		
Falsification	Major	Moderate
<div style="border: 1px solid black; width: 40px; height: 15px;"></div>	<div style="border: 1px solid black; width: 40px; height: 15px; text-align: center;">X</div>	<div style="border: 1px solid black; width: 40px; height: 15px;"></div>
Percent		<div style="border: 1px solid black; width: 60px; height: 15px; text-align: center;">10%</div>
Matrix Notes	<div style="border: 1px solid black; padding: 2px;">100% of the rule requirement was not met.</div>	
Adjustment		<div style="border: 1px solid black; padding: 2px; text-align: center;">-\$45</div>
Base Penalty Subtotal		<div style="border: 1px solid black; padding: 2px; text-align: center;">\$5</div>
Violation Events		
Number of Violation Events	<div style="border: 1px solid black; padding: 2px; text-align: center;">237</div>	
mark only one use a small x	daily	<div style="border: 1px solid black; width: 40px; height: 15px; text-align: center;">X</div>
	monthly	<div style="border: 1px solid black; width: 40px; height: 15px;"></div>
	quarterly	<div style="border: 1px solid black; width: 40px; height: 15px;"></div>
	semiannual	<div style="border: 1px solid black; width: 40px; height: 15px;"></div>
	annual	<div style="border: 1px solid black; width: 40px; height: 15px;"></div>
	single event	<div style="border: 1px solid black; width: 40px; height: 15px;"></div>
Violation Base Penalty		<div style="border: 1px solid black; padding: 2px; text-align: center;">\$1,185</div>
Two hundred thirty-seven daily events are recommended from the September 1, 2005 deadline to the April 26, 2006 deadline established by the TCEQ letter dated March 24, 2006.		
Economic Benefit (EB) for this violation		Statutory Limit Test
Estimated EB Amount	<div style="border: 1px solid black; padding: 2px; text-align: center;">\$18</div>	Violation Final Penalty Total
		<div style="border: 1px solid black; padding: 2px; text-align: center;">\$1,185</div>
This violation Final Assessed Penalty (adjusted for limits)		<div style="border: 1px solid black; padding: 2px; text-align: center;">\$1,185</div>

Economic Benefit Worksheet

Respondent Chez-Salin Quality Cleaners, Inc. dba Lyric South Cleaners

Case ID No. 29777

Reg. Ent. Reference No. RN102150364

Media [Statute] Drycleaner

Violation No. 1

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost No commas or \$	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Delayed Costs							
Equipment				0.0	\$0	\$0	\$0
Buildings				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0
Engineering/construction				0.0	\$0	\$0	\$0
Land				0.0	\$0	n/a	\$0
Record Keeping System				0.0	\$0	n/a	\$0
Training/Sampling				0.0	\$0	n/a	\$0
Remediation/Disposal				0.0	\$0	n/a	\$0
Permit Costs	\$250	01-Sep-2005	30-Jan-2007	1.4	\$18	n/a	\$18
Other (as needed)				0.0	\$0	n/a	\$0

Notes for DELAYED costs The estimated cost to register a dry cleaning or drop station facility annually. The date required is the date that the completed registration form was due and the final date is the date the respondent is projected to come into compliance.

Avoided Costs

ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)

Disposal				0.0	\$0	\$0	\$0
Personnel				0.0	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.0	\$0	\$0	\$0
Supplies/equipment				0.0	\$0	\$0	\$0
Financial Assurance [2]				0.0	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0

Notes for AVOIDED costs

Approx. Cost of Compliance \$250

TOTAL \$18

Compliance History

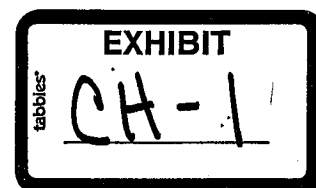
Customer/Respondent/Owner-Operator:	CN602522286	Chez-Salin Quality Cleaners, Inc.	Classification: AVERAGE	Rating: 3.01
Regulated Entity:	RN102150364	LYRIC SOUTH CLEANERS	Classification:	Site Rating:
ID Number(s):				
Location:	5414 W MILITARY DR, SAN ANTONIO, TX, 78242			
TCEQ Region:	REGION 13 - SAN ANTONIO			
Date Compliance History Prepared:	December 21, 2007			
Agency Decision Requiring Compliance History:	Enforcement			
Compliance Period:	December 21, 2002 to December 21, 2007			
TCEQ Staff Member to Contact for Additional Information Regarding this Compliance History				
Name:	Shontay Wilcher		Phone:	(512) 239-2136

Site Compliance History Components

- | | |
|--|-----|
| 1. Has the site been in existence and/or operation for the full five year compliance period? | Yes |
| 2. Has there been a (known) change in ownership of the site during the compliance period? | No |
| 3. If Yes, who is the current owner? | N/A |
| 4. If Yes, who was/were the prior owner(s)? | N/A |
| 5. When did the change(s) in ownership occur? | N/A |

Components (Multimedia) for the Site :

- A. Final Enforcement Orders, court judgements, and consent decrees of the state of Texas and the federal government.
N/A
- B. Any criminal convictions of the state of Texas and the federal government.
N/A
- C. Chronic excessive emissions events.
N/A
- D. The approval dates of investigations. (CCEDS Inv. Track. No.)
1 05/31/2006 (466466)
- E. Written notices of violations (NOV). (CCEDS Inv. Track. No.)
- F. Environmental audits.
N/A
- G. Type of environmental management systems (EMSs).
N/A
- H. Voluntary on-site compliance assessment dates.
N/A
- I. Participation in a voluntary pollution reduction program.
N/A
- J. Early compliance.
N/A
- Sites Outside of Texas
N/A





Policy Revision 2 (September 2002)

Penalty Calculation Worksheet (PCW)

PCW Revision May 19, 2005

DATES	Assigned	05-Sep-2006	Screening	15-Sep-2006	EPA Due	
	PCW	20-Sep-2006				

RESPONDENT/FACILITY INFORMATION	
Respondent	Chez-Salin Quality Cleaners, Inc. dba Rodeo Cleaners 1
Reg. Ent. Ref. No.	RN104087390
Facility/Site Region	13-San Antonio
Major/Minor Source	Minor Source

CASE INFORMATION			
Enf./Case ID No.	29777	No. of Violations	1
Docket No.	2006-0708-DCL-E	Order Type	1660
Media Program(s)	Drycleaner	Enf. Coordinator	Shontay Wilcher
Multi-Media		EC's Team	Enforcement Team 7
Admin. Penalty \$ Limit Minimum	\$0	Maximum	\$50

Penalty Calculation Section

TOTAL BASE PENALTY (Sum of violation base penalties) Subtotal 1 **\$1,185**

ADJUSTMENTS (+/-) TO SUBTOTAL 1

Subtotals 2-7 are obtained by multiplying the Total Base Penalty (Subtotal 1) by the indicated percentage.

Compliance History 0% Enhancement Subtotals 2, 3, & 7 **\$0**

Notes No adjustment for compliance history.

Culpability No 0% Enhancement Subtotal 4 **\$0**

Notes The respondent does not meet the culpability criteria.

Good Faith Effort to Comply 0% Reduction Subtotal 5 **\$0**

	Before NOV	NOV to EDPRP/Settlement Offer
Extraordinary		
Ordinary		
N/A	X	(mark with a small x)

Notes The respondent does not meet the good faith criteria.

Economic Benefit 0% Enhancement* Subtotal 6 **\$0**

Total EB Amounts	\$18
Approx. Cost of Compliance	\$250

*Capped at the Total EB \$ Amount

SUM OF SUBTOTALS 1-7 Final Subtotal **\$1,185**

OTHER FACTORS AS JUSTICE MAY REQUIRE Adjustment **\$0**

Reduces or enhances the Final Subtotal by the indicated percentage. (Enter number only; e.g. -30 for -30%.)

Notes

Final Penalty Amount **\$1,185**

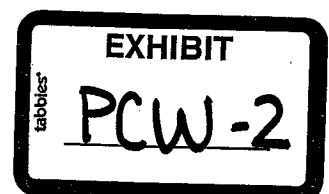
STATUTORY LIMIT ADJUSTMENT Final Assessed Penalty **\$1,185**

DEFERRAL 0% Reduction Adjustment **\$0**

Reduces the Final Assessed Penalty by the indicated percentage. (Enter number only; e.g. 20 for 20% reduction.)

Notes This is not an expedited case.

PAYABLE PENALTY **\$1,185**



Screening Date 15-Sep-2006	Docket No. 2006-0708-DCL-E	PCW
Respondent Chez-Salin Quality Cleaners, Inc. dba Rodeo Cleaners 1	<i>Policy Revision 2 (September 2002)</i>	
Case ID No. 29777	<i>PCW Revision May 19, 2005</i>	
Reg. Ent. Reference No. RN104087390		
Media [Statute] Drycleaner		
Enf. Coordinator Shontay Wilcher		

Compliance History Worksheet

>> Compliance History Site Enhancement (Subtotal 2)

Component	Number of...	Enter Number Here	Adjust.
NOVs	Written NOVs with same or similar violations as those in the current enforcement action <i>(number of NOVs meeting criteria)</i>	0	0%
	Other written NOVs	0	0%
Orders	Any agreed final enforcement orders containing a denial of liability <i>(number of orders meeting criteria)</i>	0	0%
	Any adjudicated final enforcement orders, agreed final enforcement orders without a denial of liability, or default orders of this state or the federal government, or any final prohibitory emergency orders issued by the commission	0	0%
Judgments and Consent Decrees	Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government <i>(number of judgements or consent decrees meeting criteria)</i>	0	0%
	Any adjudicated final court judgments and default judgments, or non-adjudicated final court judgments or consent decrees without a denial of liability, of this state or the federal government	0	0%
Convictions	Any criminal convictions of this state or the federal government <i>(number of counts)</i>	0	0%
Emissions	Chronic excessive emissions events <i>(number of events)</i>	0	0%
Audits	Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 <i>(number of audits for which notices were)</i>	0	0%
	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 <i>(number of audits for which violations were disclosed)</i>	0	0%
<i>Please Enter Yes or No</i>			
Other	Environmental management systems in place for one year or more	No	0%
	Voluntary on-site compliance assessments conducted by the executive director under a special assistance program	No	0%
	Participation in a voluntary pollution reduction program	No	0%
	Early compliance with, or offer of a product that meets future state or federal government environmental requirements	No	0%

Adjustment Percentage (Subtotal 2) 0%

>> Repeat Violator (Subtotal 3)

N/A <

Adjustment Percentage (Subtotal 3) 0%

>> Compliance History Person Classification (Subtotal 7)

Average Performer <

Adjustment Percentage (Subtotal 7) 0%

>> Compliance History Summary

Compliance History Notes

No adjustment for compliance history.

Total Adjustment Percentage (Subtotals 2, 3, & 7) 0%

Screening Date 15-Sep-2006	Docket No. 2006-0708-DCL-E	PCW
Respondent Chez-Salin Quality Cleaners, Inc. dba Rodeo Cleaners 1	<i>Policy Revision 2 (September 2002)</i>	
Case ID No. 29777	<i>PCW Revision May 19, 2005</i>	
Reg. Ent. Reference No. RN104087390		
Media [Statute] Drycleaner		
Enf. Coordinator Shontay Wilcher		
Violation Number	<input type="text" value="1"/>	
Primary Rule Cite(s)	<input type="text" value="30 Tex. Admin. Code § 337.11(e)"/>	
Secondary Rule Cite(s)	<input type="text" value="Tex. Health & Safety Code § 374.102"/>	
Violation Description	<input type="text" value="The respondent failed to renew the facility's registration by completing and submitting the required registration form to the TCEQ for a dry cleaning and/or drop station facility."/>	
Base Penalty		<input type="text" value="\$50"/>

>> **Environmental, Property and Human Health Matrix**

		Harm			
	Release	Major	Moderate	Minor	
OR	Actual	<input type="text"/>	<input type="text"/>	<input type="text"/>	Percent <input type="text"/>
	Potential	<input type="text"/>	<input type="text"/>	<input type="text"/>	

>> **Programmatic Matrix**

	Falsification	Major	Moderate	Minor	
	<input type="text"/>	<input checked="" type="text" value="X"/>	<input type="text"/>	<input type="text"/>	Percent <input type="text" value="10%"/>
Matrix Notes	<input type="text" value="100% of the rule requirement was not met."/>				

Adjustment **Base Penalty Subtotal** **Violation Events****Number of Violation Events**

<i>mark only one use a small x</i>	<i>daily</i>	<input checked="" type="text" value="X"/>
	<i>monthly</i>	<input type="text"/>
	<i>quarterly</i>	<input type="text"/>
	<i>semiannual</i>	<input type="text"/>
	<i>annual</i>	<input type="text"/>
	<i>single event</i>	<input type="text"/>

Violation Base Penalty

Two hundred thirty-seven daily events are recommended from the September 1, 2005 regulatory deadline to the April 26, 2006 deadline established by the TCEQ letter dated March 24, 2006.

Economic Benefit (EB) for this violation**Estimated EB Amount** **Statutory Limit Test****Violation Final Penalty Total** **This violation Final Assessed Penalty (adjusted for limits)**

Economic Benefit Worksheet**Respondent** Chez-Salin Quality Cleaners, Inc. dba Rodeo Cleaners 1**Case ID No.** 29777**Reg. Ent. Reference No.** RN104087390**Media [Statute]** Drycleaner**Violation No.** 1

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
No commas or \$							

Delayed Costs

Equipment				0.0	\$0	\$0	\$0
Buildings				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0
Engineering/construction				0.0	\$0	\$0	\$0
Land				0.0	\$0	n/a	\$0
Record Keeping System				0.0	\$0	n/a	\$0
Training/Sampling				0.0	\$0	n/a	\$0
Remediation/Disposal				0.0	\$0	n/a	\$0
Permit Costs	\$250	01-Sep-2005	30-Jan-2007	1.4	\$18	n/a	\$18
Other (as needed)				0.0	\$0	n/a	\$0

Notes for DELAYED costs

The estimated cost to register a dry cleaning or drop station facility annually. The date required is the date that the completed registration form was due and the final date is the projected date of compliance.

Avoided Costs

ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)

Disposal				0.0	\$0	\$0	\$0
Personnel				0.0	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.0	\$0	\$0	\$0
Supplies/equipment				0.0	\$0	\$0	\$0
Financial Assurance [2]				0.0	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0

Notes for AVOIDED costs

Approx. Cost of Compliance **\$250****TOTAL** **\$18**

Compliance History

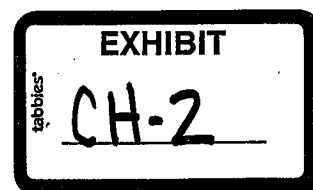
Customer/Respondent/Owner-Operator:	CN602522286	Chez-Salin Quality Cleaners, Inc.	Classification: AVERAGE	Rating: 3.01
Regulated Entity:	RN104087390	RODEO CLEANERS 1	Classification:	Site Rating:
ID Number(s):				
Location:	633 S WW WHITE RD, SAN ANTONIO, TX, 78220			
TCEQ Region:	REGION 13 - SAN ANTONIO			
Date Compliance History Prepared:	December 21, 2007			
Agency Decision Requiring Compliance History:	Enforcement			
Compliance Period:	December 21, 2002 to December 21, 2007			
TCEQ Staff Member to Contact for Additional Information Regarding this Compliance History				
Name:	Shontay Wilcher		Phone:	(512) 239-2136

Site Compliance History Components

- | | |
|--|-----|
| 1. Has the site been in existence and/or operation for the full five year compliance period? | Yes |
| 2. Has there been a (known) change in ownership of the site during the compliance period? | No |
| 3. If Yes, who is the current owner? | N/A |
| 4. If Yes, who was/were the prior owner(s)? | N/A |
| 5. When did the change(s) in ownership occur? | N/A |

Components (Multimedia) for the Site :

- | | |
|------------------------|--|
| A. | Final Enforcement Orders, court judgments, and consent decrees of the state of Texas and the federal government. |
| | N/A |
| B. | Any criminal convictions of the state of Texas and the federal government. |
| | N/A |
| C. | Chronic excessive emissions events. |
| | N/A |
| D. | The approval dates of investigations. (CCEDS Inv. Track. No.) |
| | N/A 1 08/29/2006 (466470) |
| E. | Written notices of violations (NOV). (CCEDS Inv. Track. No.) |
| | |
| F. | Environmental audits. |
| | N/A |
| G. | Type of environmental management systems (EMSs). |
| | N/A |
| H. | Voluntary on-site compliance assessment dates. |
| | N/A |
| I. | Participation in a voluntary pollution reduction program. |
| | N/A |
| J. | Early compliance. |
| | N/A |
| Sites Outside of Texas | |
| | N/A |





Policy Revision 2 (September 2002)

Penalty Calculation Worksheet (PCW)

PCW Revision May 19, 2005

DATES	Assigned	07-Aug-2006	Screening	07-Aug-2006	EPA Due	
	PCW	30-Aug-2006				

RESPONDENT/FACILITY INFORMATION	
Respondent	Chez-Salin Quality Cleaners, Inc. dba Rodeo Cleaners 2
Reg. Ent. Ref. No.	RN104087473
Facility/Site Region	13-San Antonio
Major/Minor Source	Minor Source

CASE INFORMATION			
Enf./Case ID No.	29777	No. of Violations	1
Docket No.	2006-0708-DCL-E	Order Type	1660
Media Program(s)	Drycleaner	Enf. Coordinator	Shontay Wilcher
Multi-Media		EC's Team	Enforcement Team 7
Admin. Penalty \$ Limit Minimum	\$0	Maximum	\$50

Penalty Calculation Section

TOTAL BASE PENALTY (Sum of violation base penalties) Subtotal 1 **\$1,185**

ADJUSTMENTS (+/-) TO SUBTOTAL 1

Subtotals 2-7 are obtained by multiplying the Total Base Penalty (Subtotal 1) by the indicated percentage.

Compliance History 0% Enhancement Subtotals 2, 3, & 7 **\$0**

Notes No adjustment for compliance history.

Culpability 0% Enhancement Subtotal 4 **\$0**

Notes The respondent does not meet the culpability criteria.

Good Faith Effort to Comply 0% Reduction Subtotal 5 **\$0**

	Before NOV	NOV to EDPRP/Settlement Offer
Extraordinary		
Ordinary		
N/A	X	(mark with a small x)

Notes The respondent does not meet the good faith criteria.

Economic Benefit 0% Enhancement* Subtotal 6 **\$0**

Total EB Amounts	\$18
Approx. Cost of Compliance	\$250

*Capped at the Total EB \$ Amount

SUM OF SUBTOTALS 1-7 Final Subtotal **\$1,185**

OTHER FACTORS AS JUSTICE MAY REQUIRE Adjustment **\$0**

Reduces or enhances the Final Subtotal by the indicated percentage. (Enter number only; e.g. -30 for -30%.)

Notes

Final Penalty Amount **\$1,185**

STATUTORY LIMIT ADJUSTMENT Final Assessed Penalty **\$1,185**

DEFERRAL 0% Reduction Adjustment **\$0**

Reduces the Final Assessed Penalty by the indicated percentage. (Enter number only; e.g. 20 for 20% reduction.)

Notes

This is not an expedited case.

PAYABLE PENALTY **\$1,185**

EXHIBIT

tabbles

PCW-3

Screening Date 07-Aug-2006	Docket No. 2006-0708-DCL-E	PCW
Respondent Chez-Salin Quality Cleaners, Inc. dba Rodeo Cleaners 2	<i>Policy Revision 2 (September 2002)</i>	
Case ID No. 29777	<i>PCW Revision May 19, 2005</i>	
Reg. Ent. Reference No. RN104087473		
Media [Statute] Drycleaner		
Enf. Coordinator Shontay Wilcher		

Compliance History Worksheet

>> Compliance History Site Enhancement (Subtotal 2)

Component	Number of...	Enter Number Here	Adjust.
NOVs	Written NOVs with same or similar violations as those in the current enforcement action <i>(number of NOVs meeting criteria)</i>	0	0%
	Other written NOVs	0	0%
Orders	Any agreed final enforcement orders containing a denial of liability <i>(number of orders meeting criteria)</i>	0	0%
	Any adjudicated final enforcement orders, agreed final enforcement orders without a denial of liability, or default orders of this state or the federal government, or any final prohibitory emergency orders issued by the commission	0	0%
Judgments and Consent Decrees	Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government <i>(number of judgements or consent decrees meeting criteria)</i>	0	0%
	Any adjudicated final court judgments and default judgments, or non-adjudicated final court judgments or consent decrees without a denial of liability, of this state or the federal government	0	0%
Convictions	Any criminal convictions of this state or the federal government <i>(number of counts)</i>	0	0%
Emissions	Chronic excessive emissions events <i>(number of events)</i>	0	0%
Audits	Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 <i>(number of audits for which notices were)</i>	0	0%
	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 <i>(number of audits for which violations were disclosed)</i>	0	0%
<i>Please Enter Yes or No</i>			
Other	Environmental management systems in place for one year or more	No	0%
	Voluntary on-site compliance assessments conducted by the executive director under a special assistance program	No	0%
	Participation in a voluntary pollution reduction program	No	0%
	Early compliance with, or offer of a product that meets future state or federal government environmental requirements	No	0%

Adjustment Percentage (Subtotal 2) 0%

>> Repeat Violator (Subtotal 3)

N/A <

Adjustment Percentage (Subtotal 3) 0%

>> Compliance History Person Classification (Subtotal 7)

Average Performer <

Adjustment Percentage (Subtotal 7) 0%

>> Compliance History Summary

Compliance History Notes

No adjustment for compliance history.

Total Adjustment Percentage (Subtotals 2, 3, & 7) 0%

Screening Date 07-Aug-2006	Docket No. 2006-0708-DCL-E	PCW
Respondent Chez-Salin Quality Cleaners, Inc. dba Rodeo Cleaners 2	<i>Policy Revision 2 (September 2002)</i>	
Case ID No. 29777	<i>PCW Revision May 19, 2005</i>	
Reg. Ent. Reference No. RN104087473		
Media [Statute] Drycleaner		
Enf. Coordinator Shontay Wilcher		
Violation Number	<input type="text" value="1"/>	
Primary Rule Cite(s)	<input type="text" value="30 Tex. Admin. Code § 337.11(e)"/>	
Secondary Rule Cite(s)	<input type="text" value="Tex. Health & Safety Code § 374.102"/>	
Violation Description	<input type="text" value="The respondent failed to renew the facility's registration by completing and submitting the required registration form to the TCEQ for a dry cleaning and/or drop station facility."/>	
Base Penalty		<input type="text" value="\$50"/>

>> **Environmental, Property and Human Health Matrix**

		Harm			
	Release	Major	Moderate	Minor	
OR	Actual	<input type="text"/>	<input type="text"/>	<input type="text"/>	Percent <input type="text"/>
	Potential	<input type="text"/>	<input type="text"/>	<input type="text"/>	

>> **Programmatic Matrix**

	Falsification	Major	Moderate	Minor	
	<input type="text"/>	<input checked="" type="text" value="X"/>	<input type="text"/>	<input type="text"/>	Percent <input type="text" value="10%"/>
Matrix Notes	<input type="text" value="100% of the rule requirement was not met."/>				

Adjustment Base Penalty Subtotal **Violation Events**Number of Violation Events

mark only one use a small x	daily	<input checked="" type="text" value="X"/>
	monthly	<input type="text"/>
	quarterly	<input type="text"/>
	semiannual	<input type="text"/>
	annual	<input type="text"/>
	single event	<input type="text"/>

Violation Base Penalty

Two hundred thirty-seven daily events are recommended from the September 1, 2005 regulatory deadline to the April 26, 2006 deadline established by the TCEQ letter dated March 24, 2006.

Economic Benefit (EB) for this violationEstimated EB Amount **Statutory Limit Test**Violation Final Penalty Total This violation Final Assessed Penalty (adjusted for limits)

Economic Benefit Worksheet**Respondent** Chez-Salin Quality Cleaners, Inc. dba Rodeo Cleaners 2**Case ID No.** 29777**Reg. Ent. Reference No.** RN104087473**Media [Statute]** Drycleaner**Violation No.** 1

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
No commas or \$							

Delayed Costs

Equipment				0.0	\$0	\$0	\$0
Buildings				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0
Engineering/construction				0.0	\$0	\$0	\$0
Land				0.0	\$0	n/a	\$0
Record Keeping System				0.0	\$0	n/a	\$0
Training/Sampling				0.0	\$0	n/a	\$0
Remediation/Disposal				0.0	\$0	n/a	\$0
Permit Costs	\$250	01-Sep-2005	30-Jan-2007	1.4	\$18	n/a	\$18
Other (as needed)				0.0	\$0	n/a	\$0

Notes for DELAYED costs

The estimated cost to register a dry cleaning or drop station facility annually. The date required is the date that the completed registration form was due and the final date is the projected date of compliance.

Avoided Costs

ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)

Disposal				0.0	\$0	\$0	\$0
Personnel				0.0	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.0	\$0	\$0	\$0
Supplies/equipment				0.0	\$0	\$0	\$0
Financial Assurance [2]				0.0	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0

Notes for AVOIDED costs

Approx. Cost of Compliance **\$250****TOTAL** **\$18**

Compliance History

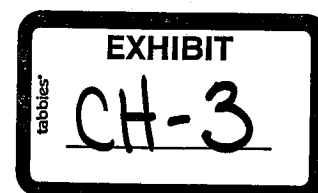
Customer/Respondent/Owner-Operator:	CN602522286	Chez-Salin Quality Cleaners, Inc.	Classification: AVERAGE	Rating: 3.01
Regulated Entity:	RN104087473	RODEO CLEANERS 2	Classification:	Site Rating:
ID Number(s):				
Location:	4707 PECAN VALLEY DR, SAN ANTONIO, TX, 78223			
TCEQ Region:	REGION 13 - SAN ANTONIO			
Date Compliance History Prepared:	December 21, 2007			
Agency Decision Requiring Compliance History:	Enforcement			
Compliance Period:	December 21, 2002 to December 21, 2007			
TCEQ Staff Member to Contact for Additional Information Regarding this Compliance History				
Name:	Shontay Wilcher		Phone:	(512) 239-2136

Site Compliance History Components

- | | |
|--|-----|
| 1. Has the site been in existence and/or operation for the full five year compliance period? | Yes |
| 2. Has there been a (known) change in ownership of the site during the compliance period? | No |
| 3. If Yes, who is the current owner? | N/A |
| 4. If Yes, who was/were the prior owner(s)? | N/A |
| 5. When did the change(s) in ownership occur? | N/A |

Components (Multimedia) for the Site :

- A. Final Enforcement Orders, court judgements, and consent decrees of the state of Texas and the federal government.
N/A
- B. Any criminal convictions of the state of Texas and the federal government.
N/A
- C. Chronic excessive emissions events.
N/A
- D. The approval dates of investigations. (CCEDS Inv. Track. No.)
1 08/02/2006 (480613)
- E. Written notices of violations (NOV). (CCEDS Inv. Track. No.)
- F. Environmental audits.
N/A
- G. Type of environmental management systems (EMSs).
N/A
- H. Voluntary on-site compliance assessment dates.
N/A
- I. Participation in a voluntary pollution reduction program.
N/A
- J. Early compliance.
N/A
- Sites Outside of Texas
N/A





Policy Revision 2 (September 2002)

Penalty Calculation Worksheet (PCW)

PCW Revision May 19, 2005

DATES	Assigned	05-Jun-2006	Screening	05-Jun-2006	EPA Due	
	PCW	30-Aug-2006				

RESPONDENT/FACILITY INFORMATION	
Respondent	Chez-Salin Quality Cleaners, Inc. dba Rodeo Cleaners 3
Reg. Ent. Ref. No.	RN104087416
Facility/Site Region	13-San Antonio
Major/Minor Source	Minor Source

CASE INFORMATION			
Enf./Case ID No.	29777	No. of Violations	1
Docket No.	2006-0708-DCL-E	Order Type	1660
Media Program(s)	Drycleaner	Enf. Coordinator	Shontay Wilcher
Multi-Media		EC's Team	Enforcement Team 7
Admin. Penalty \$ Limit Minimum	\$0	Maximum	\$50

Penalty Calculation Section

TOTAL BASE PENALTY (Sum of violation base penalties) Subtotal 1 **\$1,185**

ADJUSTMENTS (+/-) TO SUBTOTAL 1

Subtotals 2-7 are obtained by multiplying the Total Base Penalty (Subtotal 1) by the indicated percentage.

Compliance History 0% Enhancement Subtotals 2, 3, & 7 **\$0**

Notes No adjustment for compliance history.

Culpability No 0% Enhancement Subtotal 4 **\$0**

Notes The respondent does not meet the culpability criteria.

Good Faith Effort to Comply 0% Reduction Subtotal 5 **\$0**

	Before NOV	NOV to EDPRP/Settlement Offer
Extraordinary		
Ordinary		
N/A	X	(mark with a small x)

Notes The respondent does not meet the good faith criteria.

Economic Benefit 0% Enhancement* Subtotal 6 **\$0**

Total EB Amounts	\$18
Approx. Cost of Compliance	\$250

*Capped at the Total EB \$ Amount

SUM OF SUBTOTALS 1-7 Final Subtotal **\$1,185**

OTHER FACTORS AS JUSTICE MAY REQUIRE Adjustment **\$0**

Reduces or enhances the Final Subtotal by the indicated percentage. (Enter number only; e.g. -30 for -30%.)

Notes

Final Penalty Amount **\$1,185**

STATUTORY LIMIT ADJUSTMENT Final Assessed Penalty **\$1,185**

DEFERRAL 0% Reduction Adjustment **\$0**

Reduces the Final Assessed Penalty by the indicated percentage. (Enter number only; e.g. 20 for 20% reduction.)

Notes This is not an expedited case.

PAYABLE PENALTY **\$1,185**

EXHIBIT

tabbles

PCW-4

Screening Date 05-Jun-2006	Docket No. 2006-0708-DCL-E	PCW
Respondent Chez-Salin Quality Cleaners, Inc. dba Rodeo Cleaners 3	<i>Policy Revision 2 (September 2002)</i>	
Case ID No. 29777	<i>PCW Revision May 19, 2005</i>	
Reg. Ent. Reference No. RN104087416		
Media [Statute] Drycleaner		
Enf. Coordinator Shontay Wilcher		

Compliance History Worksheet

>> Compliance History Site Enhancement (Subtotal 2)

Component	Number of...	<i>Enter Number Here</i>	Adjust.
NOVs	Written NOVs with same or similar violations as those in the current enforcement action (<i>number of NOVs meeting criteria</i>)	0	0%
	Other written NOVs	0	0%
Orders	Any agreed final enforcement orders containing a denial of liability (<i>number of orders meeting criteria</i>)	0	0%
	Any adjudicated final enforcement orders, agreed final enforcement orders without a denial of liability, or default orders of this state or the federal government, or any final prohibitory emergency orders issued by the commission	0	0%
Judgments and Consent Decrees	Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government (<i>number of judgments or consent decrees meeting criteria</i>)	0	0%
	Any adjudicated final court judgments and default judgments, or non-adjudicated final court judgments or consent decrees without a denial of liability, of this state or the federal government	0	0%
Convictions	Any criminal convictions of this state or the federal government (<i>number of counts</i>)	0	0%
Emissions	Chronic excessive emissions events (number of events)	0	0%
Audits	Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (<i>number of audits for which notices were</i>	0	0%
	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (<i>number of audits for which violations were disclosed</i>)	0	0%
Other	<i>Please Enter Yes or No</i>		
	Environmental management systems in place for one year or more	No	0%
	Voluntary on-site compliance assessments conducted by the executive director under a special assistance program	No	0%
	Participation in a voluntary pollution reduction program	No	0%
	Early compliance with, or offer of a product that meets future state or federal government environmental requirements	No	0%

Adjustment Percentage (Subtotal 2) 0%

>> Repeat Violator (Subtotal 3)

N/A <

Adjustment Percentage (Subtotal 3) 0%

>> Compliance History Person Classification (Subtotal 7)

Average Performer <

Adjustment Percentage (Subtotal 7) 0%

>> Compliance History Summary

Compliance History Notes

No adjustment for compliance history.

Total Adjustment Percentage (Subtotals 2, 3, & 7) 0%

Screening Date 05-Jun-2006	Docket No. 2006-0708-DCL-E	PCW
Respondent Chez-Salin Quality Cleaners, Inc. dba Rodeo Cleaners 3	<i>Policy Revision 2 (September 2002)</i>	
Case ID No. 29777	<i>PCW Revision May 19, 2005</i>	
Reg. Ent. Reference No. RN104087416		
Media [Statute] Drycleaner		
Enf. Coordinator Shontay Wilcher		
Violation Number	<input type="text" value="1"/>	
Primary Rule Cite(s)	<input type="text" value="30 Tex. Admin. Code § 337.11(e)"/>	
Secondary Rule Cite(s)	<input type="text" value="Tex. Health & Safety Code § 374.102"/>	
Violation Description	<input type="text" value="The respondent failed to renew the facility's registration by completing and submitting the required registration form to the TCEQ for a dry cleaning and/or drop station facility."/>	
Base Penalty		<input type="text" value="\$50"/>

>> **Environmental, Property and Human Health Matrix**

		Harm			
	Release	Major	Moderate	Minor	
OR	Actual	<input type="text"/>	<input type="text"/>	<input type="text"/>	Percent <input type="text"/>
	Potential	<input type="text"/>	<input type="text"/>	<input type="text"/>	

>> **Programmatic Matrix**

	Falsification	Major	Moderate	Minor	
	<input type="text"/>	<input checked="" type="text" value="X"/>	<input type="text"/>	<input type="text"/>	Percent <input type="text" value="10%"/>

Matrix Notes

Adjustment

Base Penalty Subtotal

Violation Events

Number of Violation Events		<input type="text" value="237"/>	
mark only one use a small x	daily	<input checked="" type="text" value="X"/>	Violation Base Penalty <input type="text" value="\$1,185"/>
	monthly	<input type="text"/>	
	quarterly	<input type="text"/>	
	semiannual	<input type="text"/>	
	annual	<input type="text"/>	
	single event	<input type="text"/>	

Two hundred thirty-seven daily events are recommended from the September 1, 2005 regulatory deadline to the April 26, 2006 deadline established by the TCEQ letter dated March 24, 2006.

Economic Benefit (EB) for this violation	Statutory Limit Test
Estimated EB Amount <input type="text" value="\$18"/>	Violation Final Penalty Total <input type="text" value="\$1,185"/>
This violation Final Assessed Penalty (adjusted for limits) <input type="text" value="\$1,185"/>	

Economic Benefit Worksheet

Respondent Chez-Salin Quality Cleaners, Inc. dba Rodeo Cleaners 3

Case ID No. 29777

Reg. Ent. Reference No. RN104087416

Media [Statute] Drycleaner

Violation No. 1

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
No commas or \$							

Delayed Costs

Equipment				0.0	\$0	\$0	\$0
Buildings				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0
Engineering/construction				0.0	\$0	\$0	\$0
Land				0.0	\$0	n/a	\$0
Record Keeping System				0.0	\$0	n/a	\$0
Training/Sampling				0.0	\$0	n/a	\$0
Remediation/Disposal				0.0	\$0	n/a	\$0
Permit Costs	\$250	01-Sep-2005	30-Jan-2007	1.4	\$18	n/a	\$18
Other (as needed)				0.0	\$0	n/a	\$0

Notes for DELAYED costs

The estimated cost to register a dry cleaning or drop station facility annually. The date required is the date that the completed registration form was due and the final date is the projected date of compliance.

Avoided Costs

ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)

Disposal				0.0	\$0	\$0	\$0
Personnel				0.0	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.0	\$0	\$0	\$0
Supplies/equipment				0.0	\$0	\$0	\$0
Financial Assurance [2]				0.0	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0

Notes for AVOIDED costs

Approx. Cost of Compliance **\$250****TOTAL** **\$18**

Compliance History

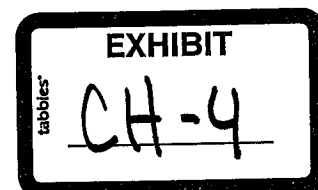
Customer/Respondent/Owner-Operator:	CN602522286	Chez-Salin Quality Cleaners, Inc.	Classification: AVERAGE	Rating: 3.01
Regulated Entity:	RN104087416	RODEO CLEANERS 3	Classification:	Site Rating:
ID Number(s):				
Location:	2606 PLEASANTON RD, SAN ANTONIO, TX, 78221			
TCEQ Region:	REGION 13 - SAN ANTONIO			
Date Compliance History Prepared:	December 21, 2007			
Agency Decision Requiring Compliance History:	Enforcement			
Compliance Period:	December 21, 2002 to December 21, 2007			
TCEQ Staff Member to Contact for Additional Information Regarding this Compliance History				
Name:	Shontay Wilcher		Phone:	(512) 239-2136

Site Compliance History Components

- | | |
|--|-----|
| 1. Has the site been in existence and/or operation for the full five year compliance period? | Yes |
| 2. Has there been a (known) change in ownership of the site during the compliance period? | No |
| 3. If Yes, who is the current owner? | N/A |
| 4. If Yes, who was/were the prior owner(s)? | N/A |
| 5. When did the change(s) in ownership occur? | N/A |

Components (Multimedia) for the Site :

- A. Final Enforcement Orders, court judgements, and consent decrees of the state of Texas and the federal government.
N/A
- B. Any criminal convictions of the state of Texas and the federal government.
N/A
- C. Chronic excessive emissions events.
N/A
- D. The approval dates of investigations. (CCEDS Inv. Track. No.)
1 05/31/2006 (466460)
2 08/23/2006 (509899)
- E. Written notices of violations (NOV). (CCEDS Inv. Track. No.)
- F. Environmental audits.
N/A
- G. Type of environmental management systems (EMSs).
N/A
- H. Voluntary on-site compliance assessment dates.
N/A
- I. Participation in a voluntary pollution reduction program.
N/A
- J. Early compliance.
N/A
- Sites Outside of Texas
N/A



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



IN THE MATTER OF AN	§	BEFORE THE
ENFORCEMENT ACTION	§	
CONCERNING	§	
CHEZ-SALIN QUALITY	§	
CLEANERS, INC. dba RODEO	§	
CLEANERS 1, dba RODEO	§	TEXAS COMMISSION ON
CLEANERS 2, dba RODEO	§	
CLEANERS 3, and dba LYRIC	§	
SOUTH CLEANERS,	§	
RN104087390, RN104087473,	§	
RN104087416 and RN102150364	§	ENVIRONMENTAL QUALITY

AGREED ORDER DOCKET NO. 2006-0708-DCL-E

I. JURISDICTION AND STIPULATIONS

At its _____ agenda, the Texas Commission on Environmental Quality, ("Commission" or "TCEQ") considered the agreement of the parties, resolving an enforcement action regarding Chez-Salin Quality Cleaners, Inc. dba Rodeo Cleaners 1, dba Rodeo Cleaners 2, dba Rodeo Cleaners 3, and dba Lyric South Cleaners, ("Chez-Salin") under the authority of TEX. WATER CODE ch. 7 and TEX. HEALTH & SAFETY CODE ch. 374. The Executive Director of the TCEQ, represented by the Litigation Division, and Chez-Salin, appear before the Commission and together stipulate that:

1. Chez-Salin owns, in accordance with TEX. HEALTH & SAFETY CODE § 374.001(12), and operates a dry cleaning facility called Lyric South Cleaners located at 5414 W. Military Drive, San Antonio, Bexar County, Texas. ("Lyric"). The Facility is a retail commercial establishment that operates or has operated, in whole or in part for the purpose of cleaning garments or other fabrics using a process that involves any use of dry cleaning solvents. As such, the Facility is a dry cleaning facility as defined in TEX. HEALTH & SAFETY CODE § 374.001(7).
2. Chez-Salin also owns and operates three dry cleaning drop stations. Rodeo Cleaners 1 ("Rodeo 1") is located at 633 S. WW White Road, San Antonio, Bexar County, Texas. Rodeo Cleaners 2 ("Rodeo 2") is located at 4707 Pecan Valley Drive, San Antonio, Bexar

County, Texas. Rodeo Cleaners 3 ("Rodeo 3") is located at 2606 Pleasanton Road, San Antonio, Bexar County, Texas. Rodeo 1, 2 & 3 are retail commercial establishments the primary business of which is to act as collection points for the drop-off and pick-up of garments or other fabrics that are sent to the main dry cleaning facility location for processing. As such, Rodeo 1, 2, & 3 are dry cleaning drop stations as defined in TEX. HEALTH & SAFETY CODE § 374.001(6).

3. This Agreed Order is entered into pursuant to TEX. WATER CODE §§ 7.051 and 7.070. The Commission has jurisdiction of this matter pursuant to TEX. WATER CODE § 5.013 because it alleges violations of TEX. HEALTH & SAFETY CODE ch. 374 and the TCEQ rules.
4. The Commission and Chez-Salin agree that the Commission has jurisdiction to enter this Agreed Order, and that Chez-Salin is subject to the Commission's jurisdiction.
5. Chez-Salin received notice of the violations alleged in Section II ("Allegations") on or about May 31, 2006, August 2, 2006 and August 29, 2006.
6. The occurrence of any violation is in dispute and the entry of this Agreed Order shall not constitute an admission by Chez-Salin of any violation alleged in Section II ("Allegations"), nor of any statute or rule.
7. An administrative penalty in the amount of four thousand seven hundred forty dollars (\$4,740.00) is assessed by the Commission in settlement of the violations alleged in Section II ("Allegations"). Chez-Salin has paid four thousand seven hundred forty dollars (\$4,740.00) of the administrative penalty.
8. Any notice and procedures which might otherwise be authorized or required in this action are waived in the interest of a more timely resolution of the matter.
9. The Executive Director of the TCEQ and Chez-Salin have agreed on a settlement of the matters alleged in this enforcement action, subject to the approval of the Commission.
10. The Executive Director may, without further notice or hearing, refer this matter to the Office of the Attorney General of the State of Texas ("OAG") for further enforcement proceedings if the Executive Director determines that Chez-Salin has not complied with one or more of the terms or conditions in this Agreed Order.
11. This Agreed Order shall terminate five years from its effective date or upon compliance with all the terms and conditions set forth in this Agreed Order, whichever is later.

12. The provisions of this Agreed Order are deemed severable and, if a court of competent jurisdiction or other appropriate authority deems any provision of this Agreed Order unenforceable, the remaining provisions shall be valid and enforceable.

II. ALLEGATIONS

Chez-Salin is alleged to have violated 30 TEX. ADMIN. CODE § 337.11(e) and TEX. HEALTH & SAFETY CODE § 374.102(a) by failing to complete and submit the required registration forms to TCEQ for the Lyric dry cleaning facility and the Rodeo 1, Rodeo 2, and Rodeo 3 drop stations, as documented during compliance investigations conducted on May 18 and June 7, 2006.

III. DENIALS

Chez-Salin generally denies the allegation in Section II ("Allegations").

IV. ORDER

1. It is, therefore, ordered by the TCEQ that Chez-Salin pay an administrative penalty as set forth in Section I, Paragraph Seven above. The payment of this administrative penalty and Chez-Salin's compliance with all the terms and conditions set forth in this Agreed Order resolve only the allegations in Section II. The Commission shall not be constrained in any manner from considering requiring corrective action or penalties for violations which are not raised here. Administrative penalty payments shall be made payable to "Texas Commission on Environmental Quality" and shall be sent with the notation "Re: Chez-Salin Quality Cleaners, Inc. dba Rodeo Cleaners 1, dba Rodeo Cleaners 2, dba Rodeo Cleaners 3, and dba Lyric South Cleaners; Docket No. 2006-0708-DCL-E" to:

Financial Administration Division, Revenues Section
Attention: Cashier's Office, MC 214
Texas Commission on Environmental Quality
P.O. Box 13088
Austin, Texas 78711-3088

2. Chez-Salin shall undertake the following technical requirements:
 - a. Within 30 days after the effective date of this Agreed Order, Chez-Salin shall properly register Lyric, and Rodeo 1, 2, and 3.

b. Chez-Salin shall, within forty-five (45) days after the effective date of this Agreed Order, submit written certification as described below, and include detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with Ordering Provision 2.a. The certification shall be notarized by a State of Texas Notary Public and include the following certification language:

"I certify under penalty of law that I have personally examined and am familiar with the information submitted and all attached documents, and that based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the submitted information is true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

The certification shall be submitted to:

Order Compliance Team
Enforcement Division, MC 149A
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, Texas 78711-3087

With a copy to:

Henry Karnei, Waste Section Manager
San Antonio Regional Office
Texas Commission on Environmental Quality
14250 Judson Road
San Antonio, Texas 78233-4480

3. The provisions of this Agreed Order shall apply to and be binding upon Chez-Salin. Chez-Salin is ordered to give notice of this Agreed Order to personnel who maintain day-to-day control over the Lyric and Rodeo 1, 2, and 3 operations referenced in this Agreed Order.
4. If Chez-Salin fails to comply with any of the Ordering Provisions in this Agreed Order within the prescribed schedules, and that failure is caused solely by an act of God, war, strike, riot, or other catastrophe, Chez-Salin's failure to comply is not a violation of this Agreed Order. Chez-Salin shall have the burden of establishing to the Executive Director's satisfaction that such an event has occurred. Chez-Salin shall notify the Executive Director within seven days after Chez-Salin becomes aware of a delaying event and shall take all reasonable measures to mitigate and minimize any delay.

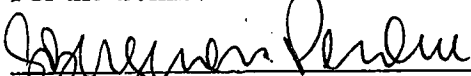
5. The Executive Director may grant an extension of any deadline in this Agreed Order or in any plan, report, or other document submitted pursuant to this Agreed Order, upon a written and substantiated showing of good cause. All requests for extensions by Chez-Salin shall be made in writing to the Executive Director. Extensions are not effective until Chez-Salin receives written approval from the Executive Director. The determination of what constitutes good cause rests solely with the Executive Director.
6. This Agreed Order, issued by the Commission, shall not be admissible against Chez-Salin in a civil proceeding, unless the proceeding is brought by the OAG to: (1) enforce the terms of this Agreed Order; or (2) pursue violations of a statute within the Commission's jurisdiction, or of a rule adopted or an order or permit issued by the Commission under such a statute.
7. This agreement may be executed in multiple counterparts, which together shall constitute a single original instrument. Any executed signature page to this Agreement may be transmitted by facsimile transmission to the other parties, which shall constitute an original signature for all purposes.
8. Under 30 TEX. ADMIN. CODE § 70.10(b) and TEX. GOV'T CODE § 2001.142, the effective date of this Agreed Order is the date of hand-delivery of the Order to Chez-Salin, or three days after the date on which the Commission mails notice of the Order to Chez-Salin, whichever is earlier. The Chief Clerk shall provide a copy of this Agreed Order to each of the parties.

Chez-Salin Quality Cleaners, Inc.
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SIGNATURE PAGE

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

For the Commission


For the Executive Director

12/18/08

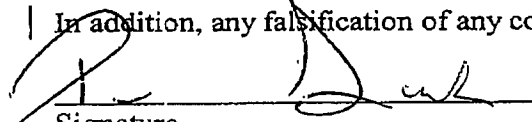
Date

I, the undersigned, have read and understand the attached Agreed Order. I represent that I am authorized to agree to the attached Agreed Order on behalf of the entity, if any, indicated below my signature, and I do agree to the terms and conditions specified therein. I further acknowledge that the TCEQ, in accepting payment for the penalty amount, is materially relying on such representation.

I also understand that my failure to comply with the Ordering Provisions, if any, in this order and/or my failure to timely pay the penalty amount, may result in:

- A negative impact on the entity's compliance history;
- Greater scrutiny of any permit applications submitted by the entity;
- Referral of this case to the Attorney General's office for contempt, injunctive relief, additional penalties, and/or attorney fees, or to a collection agency;
- Increased penalties in any future enforcement actions against the entity;
- Automatic referral to the Attorney General's Office of any future enforcement actions against the entity; and
- TCEQ seeking other relief as authorized by law.

In addition, any falsification of any compliance documents may result in criminal prosecution.


Signature

2-7-08
Date

CHEZ-Salin Quality Cleaners Inc
Pierre Sanchez, for
Chez-Salin Quality Cleaners, Inc. dba
Rodeo Cleaners 1, dba Rodeo Cleaners 2,
dba Rodeo Cleaners 3, and dba Lyric South Cleaners

President
President